IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE FIRST DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE L.NARASIMHA REDDY**

**WRIT PETITION NO : 21778 of 2004**

Between:

Maddula Prameela, D/o. M. Panduranga Rao,
R/o. III Floor, P.M. Towers, Gummadivari Street,
Maghulrajpuram, Vijayawada-10.

**..... PETITIONER**

AND

1 Sub -Inspector of Police, I Town P.S., Vijayawada-1.
2 Gopalam Srinivasa,
R/o. Vundavalli (V), Krishna District.

**.....RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a writ of Mandamus or any other appropriate writ, order or direction, declaring the action of the 1st respondent in interfering with the personal life and liberty of the petitioner herein and calling her to athe police Station frequently without any crime as illegal, arbitrary, violative of principles of natural justice and for a consequential order directing the 1st respondent not to interfere with personal life and liberty of the petitioner.

**Counsel for the Petitioner:MR.CH.DHANAMJAYA**

**Counsel for the Respondent No.1: GP FOR HOME**

**The Court at the stage of admission made the following ORDER:**

Petitioner complains that she is being harassed by the first respondent at the instance of the second respondent. She contends that she resided and worked for some time in Malesia and the second respondent started demanding her for payment of certain amounts said to have been due to him from one Mr. Allam Nageswararao, who, too, was residing in Malesia. She states that at the instance of the second respondent, the first respondent called her to the police station on 13.11.2004 and kept her there for hours together. It is also alleged that the first respondent is exerting pressure on her to settle the matter with the second respondent.

Heard learned counsel for the petitioner and learned Government Pleader for Home.

If what is stated by the petitioner is true, it certainly amounts to interference with her rights contrary to the law. This Court is not in a position to record any finding at this stage, nor it is permissible to undertake such an exercise in a writ petition of this nature. However, the first respondent cannot be permitted to summon the petitioner indiscriminately and interfere with her rights and liberty, except where a specific case is registered on the basis of a definite complaint. In the recent past, attempts by police officials to settle civil cases depending on the pressure or influence exerted on them have become rampant. Such steps may disturb the very balance in the society and would amount to transgression of the limits by an agency of the powers vested in it. If there exists a definite

complaint by the second respondent, nothing prevents the first respondent or any other agency to register a case and to undertake investigation. Requiring the citizens, that too, women to attend the police station indiscriminately is a serious matter and it cannot be countenanced.

Hence, the writ petition is disposed of directing that the first respondent shall not be entitled to require the petitioner to attend the police station except for the purpose of investigation into a case, if registered against her. No order as to costs.

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01.12.2004

Note:

Issue CC in two days.

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To

1 Sub -Inspector of Police, I Town P.S., Vijayawada-1.
2 Two CCs. to the G.P. for Home, High Court of A.P., Hyderabad

(OUT)

3 Two CD copies.